GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Lands - APIIC - M/s. Neogen Properties Private Limited - Change in line of activity for industrial park - Orders - Issued.

INDUSTRIES & COMMERCE (INFRA) DEPARTMENT

G.O.Ms.No.103, Dated: 09.11.2023.

Read the following:

1. G.O.Ms.No.178, Ind. & Comm. Department, dt. 21.06.2005.
2. From the VC&MD., APIIC Ltd., e-File No.14435/LW/APIIC/ATP/2012, (C.No.168149), dated 01.09.2023.
3. Minutes of the State Investment Promotion Board (SIPB) meeting held on 30.10.2023.

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O R D E R:

In the G.O. 1st read above, orders were issued allotting 350.00 Acs (UDL) at Growth Centre, Hindupur, Ananthapuramu District on ORS basis in favour of the company which was then known as M/s. Mindspace IT Park Private Limited for developing *"Infrastructure & Knowledge Hub"*. Vide reference 2nd read above, the VC&MD., APIIC Ltd., has informed that based on the G.O.Ms.No.178, Ind. & Comm. Dept., dt.21.06.2005, and as per the application filed by M/s. Mindspace IT Park Private Limited, APIIC allotted 350.00 acres at Industrial Park, Hindupur @ Rs.60/- PSM, at a total sale consideration of Rs.8,49,87,000/-, on ORS basis, for developing "Infrastructure & Knowledge Hub" vide provisional allotment orders dt.21.11.2005. Based on the representation made by M/s. Mindspace IT Park Private Limited, modified provisional allotment orders were issued on 21.02.2006, duly making the changes in the clauses of provisional allotment orders issued on 21.11.2005. Further, M/s. Mindspace IT Park Private Limited vide representation dt.28.02.2006 informed that the name of the Company was changed from "M/s. Mindspace IT Park Private Limited" to "M/s. Neogen Properties Private Limited", duly enclosing the fresh certificate of incorporation and accordingly, the request for change in name of the Company from "M/s. Mindspace IT Park Private Limited" to "M/s. Neogen Properties Private Limited", was approved vide HO letter dt.18.03.2006. As the name of the Company changed, revised provisional allotment orders were issued vide HO letter dt.28.03.2006 in the name of M/s. Neogen Properties Private Limited. Accordingly, Sale Agreement was executed on 10.05.2006 and the possession of the land was handed over on 10.05.2006. As per the Clause No.4(a) of the sale agreement, the allottee shall implement the project within the stipulated period of fifteen (15) years from the date of the taking possession of the land.

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2. The VC&MD, APIIC further that M/s. Neogen Properties Private Limited vide representation dt.05.08.2006 informed that they have applied for SEZ status for the project land as "Apparel Park" and has got formal approval to set up a Sector Specific Special Economic Zone (SEZ) for "Apparel Park" over an area of 141.64 hectares at Thumkunta & Gollapuram villages, Hindupur (M), Anantapur District. M/s. Neogen Properties Private Limited vide representation dt.10.04.2007 requested to issue NOC stating that they are in legal possession and have irrevocable rights to develop the said area as Apparel SEZ and the same was considered vide letter dt.04.05.2007. The request of M/s. Neogen Properties Private Limited for change in line of activity from "Infrastructure and Knowledge Hub" to "Apparel Park SEZ" was approved vide letter dt.04.05.2007.

3. Further, the VC&MD, APIIC informed that Notices were issued on 07.02.2009 & 22.05.2009 to M/s. Neogen Properties Private Limited to submit the action plan for completion of the project and further, a show cause notice was issued on 25.06.2009 and 19.3.2010 for not taking steps for implementation of the project. A show cause notice was issued from the Head Office on 25.03.2010. Due to non-commencement of the project as stipulated, the Zonal Manager has issued a final show cause notice on 22.10.2010 and submitted a report to Head Office on 08.11.2010 with a request to issue necessary orders for cancellation of allotment. Orders were issued vide IOM dt.02.05.2011 to the Zonal Manager for cancellation of allotment made in favour of M/s.Neogen Properties Private Limited. The Zonal Manager has issued cancellation of allotment orders on 05.05.2011. M/s.Neogen Properties Private Limited has approached the Hon'ble High Court against the cancellation orders issued and filed a Writ Petition No.14435/2011. A letter was addressed to M/s.Neogen Properties Private Limited on 16.07.2011, not to take up any action, since the allotment is under cancellation and covered under WP No.14435/2011 and the Hon'ble High Court passed Orders dt.16.06.2011 not to dispossess the Petitioner from the lands. Further, the *Vacate Petition* by APIIC was heard by the Court and disposed the Vacate Petition of APIIC on 21.10.2013. The matter is pending for final disposal.

4. The VC&MD, APIIC informed that a detailed report was sent to the Govt. on 01.11.2017 stating all the facts, with a request to issue necessary orders, as the allottee is asking for sale deed and restoration of allotment. MD, APIIC further informed that, subsequent to the cancellation cum resumption orders issued, M/s.Neogen Properties Private Limited submitted various representations. Vide representations dt.16.01.2018 & 09.04.2018, the company requested to withdraw the cancellation & resumption, to issue NOC for de-notification of the SEZ land, to give Permission to implement other than Apparel Park SEZ viz., aerospace, defence, automobiles & general engineering and for execution of sale deed. Vide representation dt.28.05.2018, the company submitted the DPR for the new line of activity i.e., Multi Product SEZ. Vide representation dt.22.01.2019, the company submitted an undertaking that they are willing to withdraw the Writ Petition subject to APIIC withdrawing the cancellation of allotment and extending the time and permitting the firm to proceed as requested. Again, vide representation dated 07.03.2022 requested to withdraw the cancellation &

resumption, to issue NOC for de-notification of the SEZ land to provide extension of time with permission to implement other than Apparel Park SEZ.

5. Recently, M/s.Neogen Properties Private Limited again made representation dt.09.08.2023 requested the following and VC&MD., APIIC Ltd., has furnished the same to Government for placing the proposal before SIPC / SIPB:

i. To withdraw the cancellation & Resumption Notice issued on 05.05.2011.
ii. Permit for establishment of units other than Apparel Park viz., engineering goods, automobile industry and hi-tech manufacturing (or any other use which will enable the project to become operational) subject to market demand.
iii. Issue a NOC for de-notification of "Apparel Park SEZ" to facilitate the establishment of above units (as the allotment was not done solely for SEZ Park, but initially the company has proposed for SEZ Park).

6. Accordingly, the request of the Company has been placed before State Investment Promotion Board (SIPB) meeting held on 30.10.2023 with the recommendations of the State Investment Promotion Committee (SIPC) in its meeting held on 20.10.2023.

7. In the reference 3rd read above, the SIPB has discussed the proposal and recommended for Change in line of activity for industrial park that can cater to sectors apparel, aerospace, automobiles and general engineering after withdrawal of the resumption orders by the APIIC and withdrawal of court cases by the firm, duly obtaining the specific timelines for implementation of project and also to follow the provisions of proposed new land allotment policy w.r.t the request of the firm for execution of sale deed.

8. Government after careful examination of the proposal, hereby accord permission to M/s.Neogen Properties Private Limited for change in line of activity for industrial park that can cater to sectors apparel, aerospace, automobiles and general engineering after withdrawal of the resumption orders by the APIIC and withdrawal of Court cases by the firm, duly obtaining the specific timelines for implementation of project and also requested the VC&MD., APIIC Ltd., to follow the provisions of proposed new land allotment policy w.r.t. the request of the firm for execution of sale deed.

9. The Vice Chairman & Managing Director, A.P. Industrial Infrastructure Corporation Ltd., shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

N. YUVARAJ
SECRETARY TO GOVERNMENT & CIP

To
The Vice Chairman & Managing Director,
APIIC Ltd., APIIC Towers, IT Park, Mangalagiri, Guntur Dist., A.P.-522503.

Copy to:
The Commissioner of Industries, APIIC Towers, 8th Floor, Mangalgiri, A.P.-522 503.

The General Administration (Cabinet) Dept., A.P. Secretariat.
(W.r.t the U.O. No.344/2023, dt.06.11.2023.).
The P.S. to Special Chief Secretary to Hon'ble Chief Minister, A.P. Secretariat.
The P.S.to Hon'ble Minister (III&C and IT).
The P.S. to Chief Secretary to Government, A.P. Secretariat.
The Authorised Signatory, M/s. Neogen Properties Pvt. Ltd.
The P.S to Secretary to Government & CIP., Ind. & Com. Dept., A.P.Secretariat.
SC/SF.

// FORWARDED:: BY ORDER //

SECTION OFFICER